



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
PECFA BUREAU
P. O. Box 8044
Madison, Wisconsin 53708-8044
TDD #: (608) 264-8777
<http://www.commerce.state.wi.us>
<http://www.wisconsin.gov>

Jim Doyle, Governor
Cory L. Nettles, Secretary

Wisconsin Department of Commerce Bureau of PECFA

Bid Document

SECTION 1 - Scope of Work:

The Bureau of PECFA is seeking competitive bids to perform remedial action services on a petroleum release from a regulated petroleum product storage tank system. This bid is through a specified work scope. The site upon which bids are being solicited is:

Bid Round Number: 31
Comm Number: 54660-2044-21-A
BRRTS Number: 03-42-000135
Site Name: Johnson Of WI Oil Co Inc/Johnsons Mobil Service
Site Address: 721 Superior Ave Tomah WI

Project Manager: David Swimm
Project Manager address: PO Box 8044 Madison WI 53708-8044
Project Manager phone: 608-264-8766
Project Manager e-mail address dswimm@commerce.state.wi.us

Bid Announcement Date	4/19/04
Questions or requests for information must be submitted in writing and received by:	5/3/04 4:00 PM
Responses to the questions will be posted (and if requested, sent in writing) by:	5/21/04
Bid End Date and Time:	6/4/04 by Noon

The case file including report(s) and other pertinent information upon which bids are being sought, and the qualified bid response, when determined, are available for inspection at:

Department of Commerce, 201 W Washington Ave, Madison WI

Please contact the project manager listed above for an appointment.

Copies of report(s) and other pertinent information may be available for purchase at the location listed below. If pertinent information is not available, please contact the project manager.

Kinkos-Madison, 654 W Washington Ave, Madison WI 53703

Phone: 608-255-6367

Fax: 608-255-8661

SECTION 2 – Site-Specific Bid Specification Requirements:

A) Project Manager Comments

1) General Comments:

The active remedial systems on this site were reportedly shut down during January 1998. Additional groundwater monitoring is necessary to demonstrate natural attenuation as an appropriate remedy for closure. While contaminant “rebound” has been significant both in terms of contaminant levels and duration, the latest groundwater data appears to suggest equilibrium may have or will shortly be obtained. At a minimum contaminant trends will need to demonstrate a stable plume dynamic for closure.

There are six groundwater monitoring wells (MW-1, and MW-3 through MW-7). MW-2 is damaged, but apparently not abandoned. The latest water level information (2/10/04) indicates continued dropping of the water table. MW-3 was shown to be dry and MW-7 was shown to have only approximately 1.5 feet of water on 2/10/04. Based on the reported water levels in MW-3 and its original installation depth it may also be damaged or “silted up”. Commerce is concerned that if groundwater levels continue to drop, additional monitoring wells may need to be installed. This is reflected in the minimum bid specifications below.

To reduce copy costs Commerce has only provided copies of the recently updated water level and lab results tables (also on bidding web site), the June 2000 Case Summary and Closure Request, the monitoring well construction forms from Appendix C of the May 1991 Remedial Investigation/Remedial Action Plan Report, and the remedial well construction forms (soil vent and air sparge only) to the copy shop. Unfortunately, it appears that no well construction documentation is available for the three groundwater recovery wells (RW-1 through RW-3). The existing consultant estimates that these wells have 6-inch casing and are 30 feet deep. A site map has also been included on the bidding web site along copies of the recently updated water level and lab result tables. Please note that the water level information for MW-5 appears to have a spreadsheet error beginning with the 12/11/02 measurement round. Commerce can provide an electronic (.xls) version of these tables to the contracted consultant for the additional work under this bid. Commerce does not qualify that the map, results tables, and information at the copy shop is all that is necessary to submit a complete bid. Additional site data and reports are contained in the case file at Commerce, and Commerce encourages potential bidders to review the case file at the Commerce office in Madison. Contact Kristi Hammes at (608) 267-3753 for an appointment.

2) The following Environmental Factor(s) were identified in the Site Investigation Report for this site:

- ☐ Documented expansion of the plume margin.
- ☐ Verified contaminant concentrations in a private or public potable well that exceeds the preventive action limit established under ch. 160, Stats..
- ☐ Contamination within bedrock or within 1 meter of bedrock.

- ☐ Petroleum product that is not in the dissolved phase is present with a thickness of .01 feet or more, and verified by more than one sampling event.
- ☐ Documented contamination discharges to a surface water or wetland.

3) Minimum Remedial Requirements:

Collect and analyze groundwater samples from MW-1, MW-3, MW-4, MW-5, and MW-7 on a semi-annual basis for two and one half years (six rounds). For the purposes of the bid, bidders should not assume any dry wells (i.e., less groundwater sampling). During the initial round collect a sample from the upgradient well at MW-6. Analyze the samples for PVOCs for all rounds, and during the initial, third, and fifth rounds also collect samples for analysis of natural attenuation indicator parameters (dissolved oxygen, dissolved iron, nitrate-nitrite, and sulfate). Measure water levels in all wells for all rounds. Update groundwater contaminant and water level results tables. Electronic (.xls) versions of the current tables can be made available from Commerce. Two weeks following receipt of the laboratory reports after the second, fourth and sixth rounds provide a brief status update correspondence with the updated tables and copies of the laboratory reports. Upon review of the updates, Commerce will communicate whether additional groundwater monitoring will be necessary, or whether closure can proceed at that time. If closure is determined to be appropriate, the cost cap will be adjusted downward to reflect the lack of need for additional groundwater monitoring.

Include in the total cost of the bid all consultant and commodity costs to dispose of any produced waste associated with the additional groundwater sampling. The existing consultant reports no stored wastes associated with the investigation or remediation are present on site.

During the initial sampling round the consultant shall assess the nature of the damage to MW-2 (and potential damage to MW-3 or any other well), and provide those findings in the initial status update report. During the initial sampling round the consultant shall confirm the well depth for MW-3. Also, during the initial sampling round the consultant shall confirm (measure) casing diameter, depth to water, and total well depth for all three groundwater recovery wells (RW-1 through RW-3). The consultant shall provide the findings of all three activities in the initial status update report.

Include in the total bid amount all consultant and commodity cost for all closure-related cost, including but not limited to a closure report and form, GIS registry information, and the abandonment of all vertical remediation and monitoring wells. For the purposes of the bid, assume the groundwater recovery wells have 6-inch casing that extends to 30 feet below ground surface (bgs). Provide a separate, single line item cost that reflects the component of the total bid amount for these closure-related costs (see form below). If the need for closure-related costs arises, the cost cap will be modified to reflect the separate line item amount bid. Failure to provide a separate, single line item cost for closure-related costs by using the form below will likely result in a non-compliant bid.

Include in the total bid amount all consultant and commodity cost for the proper installation of up to two additional deeper groundwater monitoring wells, one at MW-3 and one at MW-7 (assume each additional well installation with a 10 foot

screen to 30 feet bgs). The need for the additional wells will be based on the results provided in the initial update report. Commerce will determine whether one or both of the additional wells will be necessary. However, for the purposes of the bid assume both wells will be installed. Costs, should also include the related costs associated with surveying the additional well casing elevations, disposal of the waste generated by installing and sampling the additional wells, additional groundwater sampling costs for the collection of the parameters indicated above for rounds three through six for the additional wells, and the incremental additional closure (abandonment) costs for the additional wells. If installed, these wells will be sampled throughout the balance of the two and one half year period regardless of whether water levels rebound. While the groundwater recovery well at RW-3 may possibly be used as a substitute for installing a deeper monitoring well at MW-3, bidders shall assume for the purposes of the bid that a new well installation will be necessary. Provide on the form below a separate, single line item cost that reflects the component of the total bid amount for the additional well installations, which includes all the related costs indicated above. If the need for such wells arises, the cost cap will be modified to reflect the separate line item bid amount. If only one well is determined to be necessary, one-half the separate line item bid amount will be used to modify the cost cap. Failure to provide a separate, single line item cost for installing an additional well (and related items) by using the form below will likely result in a non-compliant bid.

Briefly restating the above bid response expectations: the total bid shall include the amount for six rounds of groundwater monitoring and reporting, the contingency costs for final closure, and the contingency costs for installing up to two additional monitoring well (and related cost items). Use the form below to provide the cost information. The winning bid will be determined based on the total bid amount, which includes both contingencies. The initial cost cap will be based on the bid less the two contingency amounts.

A bid will be considered to be non-responsive if the bid response does not include separate tabulation of costs found on *Bid Response, 3rd Page*.

B) Bidder's Strategy for Remedial Action

- 1) Identify the remedial strategy for a specified work scope.
- 2) Specifically describe what element of your proposed strategy will address the environmental factors/risk factors listed above. Also describe how, when, and why it will address them.
- 3) Provide a detailed description of the work to be performed. The description shall provide sufficient detail to establish that the proposed strategy will be successful in achieving a specified work scope identified above.
 - a) The detailed description may include, but is not limited to the following:
 - Technologies
 - Estimated years of operation
 - Estimated tons of soil
 - Approximate geometry/depth of excavation
 - Reporting details

- Estimated years of monitoring
 - Frequency of sampling/number of wells/parameters
- 4) Specifically describe how you will address off-site contamination, if applicable.
- 5) Specifically describe how you will address any direct contact hazards, if applicable.

SECTION 3 - Conditions of Bid:

The successful bidder will be the entity that complies with all provisions of the bid specification and provides the lowest total cost, excluding interest and claim preparation costs, for the site-specific bid specification requirements described in Section 2. PECFA funding under s. 101.143, Stats., will terminate when the responsible agency determines that institutional controls and notices, if utilized, would achieve a closed remedial status. PECFA funding will terminate regardless of whether the responsible party or other properties accept an institutional control and notices as required under §NR 726 Wis. Admin. Code. In preparing the bid, the bidder must assume compliance with all applicable codes, including but not limited to §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The successful bidder will be determined based upon conformance to and competitiveness under the bid protocol. The first determination will be whether the bidder has complied with all provisions of the bid. These bids will be considered responsive. From the responsive bids, the lowest total cost bid with an approvable approach to a specified work scope will be determined. Claim preparation costs will not be a part of the cost cap established by this bid. These costs (\$500 maximum per claim submittal) are still eligible for PECFA reimbursement and Commerce encourages timely claim submittals at appropriate milestones. Therefore, bidding consultants should not include claim preparation costs in their bid responses.

The successful bid will be available to be viewed at the location identified in Section 1. If two or more bidders tie in the cost comparison, the bid with the lowest consulting cost will be used as the tiebreaker. All bid documents must be signed and sealed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin Department of Regulation and Licensing.

The Department reserves the right to reject any and all bids that meet any of the following conditions:

- The Department believes the remedial strategy is not appropriate to a specific geologic setting.
- From the standpoint of program operations or regulatory responsibility, the Department determines it is in the best interest of the program to not accept any or all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the Department with jurisdiction (Natural Resources or Commerce).

The name of the successful bidder, bid amount, proposed outcome and supporting documentation will be provided to the site claimant along with instructions to inform the PECFA program in writing of their intent to either:

- Use the lowest identified bidder or

- Use another service provider.

In either case, PECFA reimbursement is capped at the dollar amount of the successful bid.

A successful bid does not mean or guarantee that all costs in a resultant claim are eligible, reasonable, necessary or reimbursable under the PECFA program.

If a bidder fails to comply with a bid provision the bid response will be determined to be non-responsive. If the bid response is responsive, but not the lowest cost service provider with an appropriate approach, it will be determined to be “non-successful.” Non-responsive and non-successful bidders will not be individually informed of their failure to achieve compliance with the bid specifications or to be the lowest bidder.

The successful bidder may be required to provide input to, and attend a meeting with the PECFA program and the claimant to explain the bid and the remedial approach.

Appeals, by bidders, of decisions regarding complying bids or costs are not allowed, as they do not constitute claimant reimbursement decisions under the PECFA program.

In compliance with this invitation to bid and subject to all conditions thereof, the signatory agrees to the following:

- If the signatory’s bid is determined to be successful, the signatory must, within 15 days of the Department’s notification, contact the claimant and confirm that they will provide the remedial services at the cost described within the Bid Response.
- That for a period of 90 days, starting with the Department’s notification to the claimant, the signatory will hold firm their commitment to provide the remedial services and prices set forth in the Bid Response.

Failure to abide with the conditions stated above may result in exclusion from future PECFA Public Bidding events.

Questions, answers and interpretations will be considered an amendment of this solicitation. All answers and interpretations shall be in writing from the Program Manager identified in Section 1 of this solicitation. Neither the program nor the Department shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid Ending Date. After the date by which questions must be submitted by, identified in Section 1, no further questions will be addressed.

A written response will be provided at: <http://www.commerce.state.wi.us/ER/ER-PECFA-SiteBidding.html> (and mailed to all requesters of the bid package who are not able to access the web site, and who therefore request written correspondence from the program contact).

SECTION 4 - Closure Specifications – If Applicable:

A bid submitted must provide the total cost, excluding interest but including all closure costs, for the remediation up to approval as a closed remedial action status identified below:

Unrestricted Closure

Closure with a NR 140 exemption

Closure with GIS Registry*

Closure with deed notice*

Closure with deed restriction*

Closure with NR 720.19 soil standards

**Performance based NR 720.19 closure
Closure with site-specific conditions
Closure under NR 726.07**

**Closure under Comm 46/NR 746
Mass reduction**

** **Note:** PECFA funding under s. 101.143, Stats., will terminate when the responsible agency determines that institutional controls and notices, if utilized, would achieve a closed remedial status. PECFA funding will terminate regardless of whether the responsible party or other properties accept an institutional controls and notices as required under NR 726. PECFA eligible costs may include all closure costs, up to approval as a closed remedial action (i.e. monitoring well abandonment) that are otherwise eligible for reimbursement.*

If the PECFA maximum award for the site/occurrence is not believed to be adequate to remediate the site/occurrence to a closed or no further remedial action status, that belief must be specifically noted in the bid and the remedial effort that will be achieved by the bid amount. For the purpose of the competitive bid the contaminant mass is determined to be: **Not Applicable**. The basis for specifying the progress shall be contaminant mass reduction and be based upon the mass reduction at the following points on the site:

Not Applicable

If the site is reasonably expected to exceed its cap under the PECFA program, bidders may propose mass reduction, the lowest bidder will be determined on the basis of a cost per mass reduction ratio. If some bidders propose mass reduction and others propose costs to bring the site to a closed remedial action or no further action status, selection will be from those bidders proposing a closed or no further action result.

SECTION 5 - Instructions to Bidders:

By submission of a bid, bidder agrees that during the period following issuance of this solicitation and prior to notification of successful bidder, bidders shall not discuss the bid or bid process except with the program contact designated in this solicitation. Bidders shall not discuss or attempt to negotiate with the claimant, other potential bidders or program staff any aspects of the bid without prior approval of the Project Manager specified. Infractions will result in rejection of the violator's bid and may also result in disqualification of the individual to provide bids and a formal complaint being lodged with the Department of Regulation and Licensing.

The bid submitted shall address all the site specific bid specification requirements identified in Section 2. The bid shall support in detail the strategy to achieve a specified work scope, or remedial mass reduction goal if applicable. A full remedial action plan is not required as part of the bid submittal. A full remedial action plan may be requested by the program.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Project Manager. If the Project Manager is not able to arrange site access, this fact will not delay the bid process or negate the comparison and potential selection from among the bids that are submitted. All costs associated with a site visit or preparation of a bid will be the responsibility of the bidder.

The Bid Process must conform to the following:

1. If applicable, the closed remedial or no further action status to be achieved must be stated using the options available from the list provided in Section 4.
2. Indicate in the Bid Response a contaminant mass reduction proposal if the PECFA maximum award is not believed to be adequate to remediate the site/occurrence.
3. The Bid Response shall address all the site specific bid specification requirements identified in Section 2 and shall support in sufficient detail and succinctly the remedial strategy.
4. The total cost (in dollars) to accomplish the stated remedial goal, including all fees, reporting cost, pre and post closure costs and costs for establishing restrictions or institutional controls but, excluding claim preparation costs, interest, and investigation costs.
5. The costs specified in #4 shall separately identify consulting (non-commodity) costs.
6. The submittal must include an original and two (2) copies of the Bid Response documents signed and sealed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. Include the appropriate registration number of the professional license.
7. Bids can not be "faxed" directly to the program. Documents received by fax will not be accepted or considered.
8. Bids, amendments thereto or withdrawal requests must be received by the time advertised for bid opening. It is the bidder's sole responsibility to insure that these documents are received by the contact at the time indicated in this solicitation document.
9. All specifications or descriptive papers provided with the bid submission must include the bidder's telephone number and Commerce number thereon. Identify the name of the consulting firm on the 1st Page of the Bid Response.
10. The Commerce Number must be on the outside of the envelope in which the bid is submitted. The Department assumes no responsibility for unmarked or improperly marked envelopes. All envelopes received showing a bid number will be placed directly under locked security until the date and time of opening. Include only one Bid Response (an original and two (2) copies) per envelope.
11. Correction of errors on the bid form: All prices and notations shall be printed in ink, typewritten or computer printed. Errors shall be crossed out, corrections entered and initialed by the person signing the bid. Erasures or use of correction fluid will be cause for rejection. No bid shall be altered or amended after the time specified for the bid end date.
12. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid Ending Date.
13. Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the Department with jurisdiction (Natural Resources or Commerce).

14. From the standpoint of program operations or regulatory responsibility, the Department determines it is in the best interest of the program to not accept any or all bids.
15. If bidders consider the bid response to be proprietary information and exempt from disclosure, each part of the Bid Response must clearly marked *CONFIDENTIAL*. If any part is designated as confidential, there must be attached to that part an explanation of how the information is proprietary. The Department reserves the right to determine whether this information should be exempt from disclosure and no legal action may be brought against the State, Department or its agents for its determination in this regard.
16. The Bid Response must be appropriate to the site geologic setting.
17. Ambiguous bids, which are uncertain as to cost, time or compliance with this solicitation, will be rejected.
18. The Department reserves the right to reject any and all bids, and/or to cancel this solicitation at any time.
19. Each bidder shall fully acquaint itself with conditions relating to the scope and restrictions attending the execution of the work under the conditions of this solicitation. The failure or omission of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
20. All amendments to and interpretations of this solicitation shall be in writing from the Project Manager. Neither the Department nor the program shall be legally bound by any amendment or interpretation that is not in writing.
21. This solicitation is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this solicitation to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The solicitation may or may not be changed but a review of such notification will be made prior to award.

BID RESPONSE
(1st Page)

Department of Commerce PECFA Program

SITE NAME: Johnson Of WI Oil Co Inc/Johnsons Mobil Service

COMMERCE NUMBER: 54660-2044-21

BRRTS NUMBER: 03-42-000135

Submit Bid To Cathy Voges
Department of Commerce PECFA Program
201 W Washington Ave, Madison WI 53703-2790 or
P.O. Box 8044, Madison WI 53708-8044

Bidder Company: _____

Bidder Address: _____

Telephone () -

Number:

Fax Number: () -

e-mail Address: _____

Bidder: (check one that applies):

_____	Professional Engineer	_____	License #
_____	Professional Geologist	_____	License #
_____	Hydrologist	_____	License #
_____	Soil Scientist	_____	License #

Seal

Signature: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Print Name: _____

Title: _____

Total Bid Cost \$ _____

Total Consulting Cost (subpart of Total Bid) \$ _____

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

BID RESPONSE

(2nd Page)

Department of Commerce PECFA Program

SITE NAME: Johnson Of WI Oil Co Inc/Johnsons Mobil Service

COMMERCE NUMBER: 54660-2044-21

BRRTS NUMBER: 03-42-000135

Consulting Firm phone number () ____-____

This response must address all of the site-specific specifications identified in Section 2, and shall support in detail the remedial strategy. Attach additional pages if necessary. *The Commerce Number and Consulting Firm telephone number must be included on all additional pages.*

BID RESPONSE

(3rd Page)

Department of Commerce PECFA Program

SITE NAME: Johnson Of WI Oil Co Inc/Johnsons Mobil Service
COMMERCE NUMBER: 54660-2044-21
BRRTS NUMBER: 03-42-000135

Consulting Firm phone number () ____ - ____

A bid will be considered to be non-responsive if the bid response does not include separate tabulation of costs as indicated below.

Groundwater Sampling and Reporting Costs	\$ _____
Closure-Related Contingency Costs	\$ _____
<u>Additional Well Installation (and related) Contingency Costs</u>	<u>\$ _____</u>
Total Bid Amount (sum) – also include on Bid Response, 1 st Page	\$ _____